

Raymond Planning Board Minutes
October 14, 2010

Approved 10/21/2010

Place: Raymond High School; Media Center
Call to Order: 7:00 p.m.

Members Present: Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairwoman; Doug Vogel, Secretary; Bill Hoitt, Board of Selectmen Ex-officio; Bill Cantwell (arrived at approximately 7:11 p.m.); Gretchen Gott; Jim Kent; Don Hedman, Alternate.

Staff Present: Ernest Cartier Creveling, Community Development Director; Robert Price, Planning Technician.

Pledge of Allegiance

Approval of Minutes

Members Sitting for Approval of Minutes: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Don Hedman.

MOTION: Mr. Kent made a motion, seconded by Ms. Matthews, to approve the minutes of September 09, 2010 as drafted. The motion carried with a vote of 5-0-2, with Ms. Gott and Mr. Hedman abstaining.

MOTION: Mr. Hoitt made a motion, seconded by Mr. Hedman, to approve the minutes of September 16, 2010 as amended. The motion carried with a vote of 5-0-2, with Ms. Matthews and Mr. Vogel abstaining.

MOTION: Ms. Matthews made a motion, seconded by Mr. Vogel, to approve the minutes of October 07, 2010 as amended. The motion carried with a vote of 5-0-2, with Mr. Wood and Mr. Kent abstaining.

Old Business – Raymond Sand & Gravel Excavation Permit

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Don Hedman.

Applicant/Agents Present: Kevin Cole, Sr. & Kevin Cole, Jr., applicants.

Mr. Cartier Creveling explained that the motion made by the Board on October 07, 2010 was deemed legal and acceptable by Legal Counsel. He also noted that Mr. Cole, Sr. wanted to come before the Board and seek clarification on a few items.

Ms. Gott asked if Mr. Cole has made bond payments for September and October yet. Mr. Cartier Creveling replied no.

Ms. Gott asked if plans have been submitted to the Community Development Department yet. Mr. Cartier Creveling responded no, adding the applicant does not have an excavation permit at this time.

Mr. Cole, Sr. stated there is currently about 20,000 yards of unprocessed rock on the ground. He asked why he can't crush that rock. He noted he needs to crush the rock so he can sell the processed stone in order to generate income to pay his outstanding bills to the Town (bond payments and back taxes). Mr. Cole, Sr. added plans take time to draw, and they were simply not ready in time for the meeting.

Ms. Gott stated the Board has worked with Mr. Cole, Sr. for a number of years in an effort to make sure everything was right, and stressed the process has been difficult.

Mr. Cantwell arrived at approximately 7:11 p.m. Don Hedman remained seated in place of Mr. Cantwell until the conclusion of this agenda item.

Mr. Wood asked when Jones & Beach Engineers, Inc., Mr. Cole, Sr.'s engineer, would have plans complete. Mr. Cole, Sr. stated he is unsure when things are done, adding that he believes Joe Coronati of Jones & Beach Engineers, Inc. asked for an extension from the Board.

Mr. Cartier Creveling clarified that Mr. Coronati did not ask for an extension. He stated Mr. Coronati informed him that a survey crew visited the site, and discovered that the excavation had exceeded the permitted limits. Mr. Cartier Creveling stated Mr. Coronati explained to him that he was uncertain if Mr. Cole, Sr. wanted to put more money into a plan that would not be in compliance. He added Mr. Coronati informed him he had concerns about being paid as well.

Mr. Wood stated if Mr. Cole, Sr. gets his loose ends tied up and gets plans in to the Community Development Department, then steps will be taken to hold a new public hearing.

Mr. Wood asked if any Board members wanted to reconsider the October 07, 2010 motion to rescind permission to operate.

MOTION: Mr. Hoitt made a motion, seconded by Mr. Vogel for discussion, to rescind the motion made October 07, 2010 rescinding permission to operate. DISCUSSION: Mr. Hoitt stated the applicant needs to generate income to pay bills. He added he does not agree with the decision to shut down operations. Mr. Vogel stated the applicant has not offered an estimated completion date for plans. Without a plan, it is hard to approve anything. He noted the Board met the applicant halfway to allow the selling of the already-processed stone. Ms. Matthews stated there was awareness from the beginning of the anticipated process. She stated the Board saw the other excavation operators move forward and present plans. She stressed it does not make sense to allow this applicant to move ahead with an old plan. Mr. Cole, Sr. stated he is only asking permission to crush the 20,000 yards of rock already sitting on the ground. Ms. Matthews stated crushing is a part of excavation, and crushing is not allowed to occur without a permit. Mr. Kent stated the excavation operators were informed that new plans were going to be required back in May of 2010. He asked when Mr. Cole, Sr. hired Jones & Beach Engineers, Inc. Mr. Cole replied about two months ago, adding the Board was going in circles on what is wanted to do with the Excavation Regulations, and what it wanted to require. Mr. Kent stated the Excavation Regulations were approved in May 2010, approximately 5 months ago, adding he does not understand Mr. Cole, Sr.'s delay in hiring an engineer. Mr. Cantwell stated the Board did not take the decision to rescind permission to operate lightly. He added as was stated by Mr. Vogel, the Board compromised to allow the applicant to sell the already-processed material in order to meet current obligations. He stated it is not easy for the Board to shut down a business, but in fairness, the Board felt it needed to make that call because other applicants in the same situation complied with the Board's requirements. VOTE ON THE MOTION: The motion failed with a vote of 2-5-0, with Ms. Matthews, Mr. Vogel, Mr. Kent, Ms. Gott and Mr. Hedman opposed to the motion.

At this time, Mr. Cantwell assumed his seat and Mr. Hedman stepped down from the Board.

Work Session – Exit 5 Area Zoning and Route 102 Water Line

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell.

The Planning Board invited Craig Jewett, Chairman of the Exit 5 Special Advisory Council to the meeting to discuss any possible re-zoning amendments that should occur in the Exit 5 area. Additionally, Mr. Jewett was asked to give an update on the Council's efforts regarding the feasibility of wastewater treatment at Exit 5.

Mr. Wood asked if a Sewer Overlay District or a Tax Increment Finance District would benefit the Exit 5 area, noting both are currently in place at Exit 4. Mr. Jewett replied both have been discussed lightly, and the Council is keeping all doors open at this time. Mr. Jewett added that re-zoning at Exit 5 will only have meaning if wastewater treatment becomes available to the area.

In regards to re-zoning an area along Route 102 where a water line will be installed sometime in the next couple years, Mr. Jewett offered support for increased commercial zoning, adding that the focus should be to keep Raymond's residents working in Raymond. He added any zoning proposal accomplishing that task should easily gain support from the voters.

Work Session – Route 102 Re-zoning

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell.

Mr. Wood polled the Board to determine if the Board should continue working on a re-zoning proposal for Route 102, or if they should scrap what has been drafted.

POLL RESULTS

Mr. Kent – Continue working, but come up with a different proposal than what has been presented.

Ms. Gott – Continue working, but it is too late to get something solid on the 2011 ballot.

Mr. Hoitt – Abstain

Mr. Cantwell – Continue working.

Mr. Vogel – Continue working, but would like to see alternate proposals.

Ms. Matthews – Continue working.

Mr. Wood – Continue working.

As a result of the poll, the Board will continue working on the tiered zoning proposal currently on the table for consideration.

Work Session – Buffers Ordinance

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell.

Mr. Wood polled the Board to determine if a buffers ordinance should or should not be pursued by the Board to be placed on the 2011 ballot.

POLL RESULTS

Mr. Hedman - Yes

Mr. Kent – Yes

Ms. Gott – Yes

Mr. Hoitt – Abstain
Mr. Cantwell – No
Mr. Vogel – No
Ms. Matthews – Yes, but only as amended.
Mr. Wood – Yes

Ms. Matthews presented a quick zoning amendment to Article III, Section 3.320 of the Zoning Ordinance. Her proposal seeks to add a section “g” to the existing purpose statement subparagraphs that encourages preservation and/or restoration of the Town’s Shoreland Protection Area as a natural vegetated shoreland buffer. Additionally, Ms. Matthews proposed adding a definition of “natural vegetated shoreland buffer” to Article II, Section 2.100 – Definitions.

The Board expressed appreciation for Ms. Matthews’ efforts and generally agreed her proposal was the best option to proceed with a buffers ordinance at this time.

Mr. Wood polled the Board to determine if the Board should only pursue Ms. Matthews’ proposed buffers amendment at this time.

POLL RESULTS

Mr. Hedman - Yes
Mr. Kent – Yes
Ms. Gott – Yes
Mr. Hoitt – Abstain
Mr. Cantwell – Yes
Mr. Vogel – Yes
Ms. Matthews – Yes
Mr. Wood – Yes

As a result of the poll, only Ms. Matthews’ proposed amendment will be pursued for the 2011 ballot as it relates to buffers.

Work Session – Sourcewater Protection Plan

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell.

Mr. Cartier Creveling noted that the Technical Review Committee intends to discuss this at their meeting on October 19, 2010.

Mr. Wood polled the Board to determine if the Board should allow the TRC to continue working on the Shoreland Protection Plan.

POLL RESULTS

Mr. Hedman - Yes
Mr. Kent – Yes
Ms. Gott – Yes
Mr. Hoitt – Abstain
Mr. Cantwell – Yes
Mr. Vogel – No, because he feels there are more important things that should be given priority.

Ms. Matthews – Yes
Mr. Wood – Yes

As a result of the poll, the TRC will continue its work on the Sourcewater Protection Plan.

Other Business

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Jim Kent; Bill Cantwell.

Mr. Wood reviewed some of the pertinent legislative changes that took place during 2010 with the Board.

STAFF UPDATE

Mr. Cartier Creveling informed the Board that the Technical Review Committee is currently working on revisions to the Stormwater Management Regulations. He noted he received an email from Jack Munn of Southern NH Planning Commission seeking Towns to join a grant effort that would call for SNHPC to revise Stormwater Management Regulations. Mr. Cartier Creveling stated it does not make sense to have Raymond hold up their efforts to join the grant. He added the Town currently has two certified engineers (Eric Weinrieb of Altus Engineering and Pat Bower, Public Works Director) working on the Regulations.

Mr. Cantwell suggested that the Board allow the TRC to continue its work on the Stormwater Management Regulations. The Board agreed.

Mr. Cartier Creveling next distributed a “Target Industry Analysis Report” which was generated as a result of the SWOT (strengths, weaknesses, opportunities, threats) Analysis conducted last year.

Mr. Cartier Creveling noted that a revised Open Space Plan has been submitted to the Community Development Department by SNHPC. He noted this will need to be scheduled for review and adoption in the coming weeks.

The Board heard reports from its members serving on other Boards and Committees.

Adjournment

MOTION: Mr. Cantwell made a motion, seconded by Ms. Matthews, to adjourn. The motion carried with a unanimous vote of 7-0-0. The meeting adjourned at approximately 9:51 p.m.

Respectfully submitted,

Robert Price
Planning Technician